

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X	
UNITED STATES OF AMERICA	:
	:
-v-	:
	:
CARL KRUGER,	:
	:
Defendant.	:
-----X	

11 Cr. 300 (JSR)

AFFIRMATION OF
BENJAMIN BRAFMAN

STATE OF NEW YORK)
) ss:
COUNTY OF NEW YORK)

BENJAMIN BRAFMAN affirms the following under penalties of perjury:

1. I am an attorney duly admitted to the practice of law in the State of New York and to the United States District Court for the Southern District of New York. I am engaged in the private practice of law specializing in criminal defense and am a principal of the law firm Brafman & Associates, P.C. located in New York City. I am the attorney for Defendant Carl Kruger.

2. I submit this Affirmation in support of Carl Kruger's motion for early termination of supervised release. In April 2012, Mr. Kruger was sentenced by this Court to 84 months in prison following his plea of guilty. Mr. Kruger completed his sentence of incarceration without incident and since August 2018 has been on supervised release and in full compliance with all conditions. Mr. Kruger has also fully satisfied all financial obligations that were part of his sentence.

3. At this time, we are respectfully requesting early termination of Mr. Kruger's two-year period of supervised release that is scheduled to conclude in August 2020. Early termination will assist Mr. Kruger in securing gainful employment.

4. Modifications of the conditions of a term of supervised release are governed by 18 U.S.C. § 3583(e). Pursuant to § 3583(e), a district court, "after considering the factors set forth in

section 3553(a),” may “terminate a term of supervised release and discharge the defendant released at any time after the expiration of one year of supervised release . . . if it is satisfied that such action is warranted by the conduct of the defendant released and the interest of justice.” 18 U.S.C. § 3583(e)(1). The decision to grant early termination rests within the discretion of the district court. United States v. Lussier, 104 F.3d 32, 36 (2d Cir. 1997).

5. Both Mr. Kruger’s Probation Officer, Vincent Danielo, and the Government, through AUSA Tom McKay, have no objection to our application.

Dated: New York, New York
October 23, 2019

Respectfully submitted,

BRAFMAN & ASSOCIATES, P.C.

A handwritten signature in black ink, appearing to read 'Brafman', written over a horizontal line.

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